

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MEHDI GABAYZADEH,

Plaintiff,

v.

No.: 1:09-CV-4095-PAC-JCF

BENJAMIN BRAFMAN, BRAFMAN & ROSS,
P.C., BRAFMAN & ASSOCIATES, P.C., ROBERT F.
KATZBERG, KAPLAN & KATZBERG, JENNIFER
A. LIANG, and DEBORAH SCHWARTZ

AFFIDAVIT OF
ANDREW S. KOWLOWITZ

Defendants.
-----X

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

ANDREW S. KOWLOWITZ, being duly sworn, deposes and says:

1. I am associated with the law firm of Furman Kornfeld & Brennan LLP, attorneys for defendants Benjamin Brafman, Esq., Brafman & Ross, P.C., Brafman & Associates, P.C., and Jennifer Liang, Esq. (collectively, "Brafman defendants"), in the above-captioned matter.

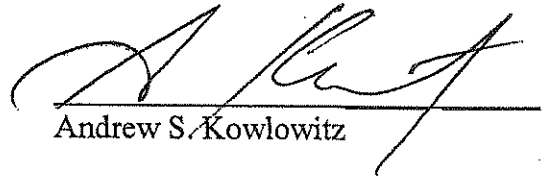
2. The Brafman defendants have moved this court pursuant to Fed. R. Civ. P. 12(b)(6) for an order dismissing the complaint (DE #1) in its entirety with prejudice.

3. Attached herein as Exhibit-1, in support of the Brafman defendants' motion to dismiss, is a true and accurate copy of a docket sheet, *United States v. Gabayzadeh*, No. 2:08-CR-162-JS-WDW (E.D.N.Y.).


4. Attached herein as Exhibit-2, in support of the Brafman defendants' motion to dismiss, is a true and accurate copy of a Judgment in a Criminal Case, *United States v. Gabayzadeh*, No. 2:08-CR-162-JS-WDW (E.D.N.Y.).

5. Attached herein as Exhibit-3, in support of the Brafman defendants' motion to dismiss, is a true and accurate copy of a docket sheet, *United States v. Gabayzadeh*, No. 06-5466-cr (2d Cir.).

6. Based upon the attached, and upon the reasons set forth more fully within the accompanying memorandum of law, the Brafman defendants respectfully request that the motion to dismiss be granted in its entirety with prejudice.


Andrew S. Kowlowitz

Sworn to before me this
19th day of August, 2009



Notary Public

SINAN AYDINER
NOTARY PUBLIC-STATE OF NEW YORK
No. 02AY6125832
Qualified in Queens County
Commission Expires April 25, 2013